

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

JOHN ELLERSICK, DAVID ELLERSICK, LEWIS C.
YOUNGS, JR., RICHARD CURRY, JR., and
RICHARD H. TEMPLE, on behalf of themselves and
all other employees similarly situated,

Plaintiffs,

v.

MONRO MUFFLER BRAKE, INC. and MONRO
SERVICE CORPORATION,

Defendants.

No. 10-cv-6525G(P)

SEAN HOHLT, AARON ROBINSON, ANTHONY
GIACONOZZI, and ROBERT HEANEY, on behalf of
themselves and all other employees similarly situated,

Plaintiffs,

v.

MONRO MUFFLER BRAKE, INC.,

Defendant.

No. 14-cv-6154FPG

UNOPPOSED MOTION FOR PRELIMINARY SETTLEMENT APPROVAL

Unopposed Motion by:

Plaintiffs John Ellersick, David Ellersick,
Lewis C. Youngs, Jr. and Richard Curry, Jr.,
and Richard H. Temple on behalf of
themselves and all others similarly situated,
and Sean Hohlt, Aaron Robinson, Anthony
Giaconozzi, and Robert Heaney, on behalf of
themselves and all other employees similarly
situated.

Relief Requested:

An Order granting (1) certification of the Parties' proposed Settlement Class under Fed. R. Civ. P. 23 for purposes of settlement; (2) preliminary approval of the Settlement Agreement; (3) approval of the Parties' Settlement Notice and plan of distribution; and (4) an Order setting dates for the Final Approval Hearing.

Basis for Relief Requested:

FLSA, 29 U.S.C. § 201, *et seq.*; Fed R. Civ. P. 23

Supporting Papers:

Memorandum in Support of Unopposed Motion for Preliminary Settlement Approval; Declaration of Rachhana T. Srey with attached exhibits; and Proposed Order.

Place:

United States District Court
Western District of New York
100 State Street
Rochester, New York 14614

Date and Time:

March 1, 2018
11:00am Eastern
Telephonic Hearing
(ECF 252)

Respectfully submitted,

Date: February 16, 2018

NICHOLS KASTER, PLLP

/s/Rachhana T. Srey
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